

### **REMARKS**

Claims 1-10, 13, 14, 19, 20, 25, 26 and 31 are all the claims pending in the application.

Regarding the drawings, Applicants note that a replacement sheet for Fig. 1 is being submitted herewith, in which reference characters are added for a backside portion of the baffle (labeled as element 108) and a reinforcement rib (labeled as element 109). No new matter has been added in this replacement sheet. Regarding the specification, Applicants note that the specification has been amended to explicitly recite the features in Fig. 8 noted above. No new matter has been added.

Applicants would like to thank Examiner Faulk for the courtesies extended to Applicants' representative during the personal interview conducted on April 12, 2005. Applicants note that the amendments to the claims presented herein are in substantial conformance with the proposed amendments presented to the Examiner during the interview.

#### **I. Claim Rejections under 35 U.S.C. § 112, second paragraph**

The Examiner has rejected claims 1 and 31 under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants have amended these claims in a manner to overcome this rejection. In particular, Applicants note that the phrase "or in a direction that is opposite to a direction of said passive radiator unit" has been deleted. Accordingly, Applicants respectfully request that the rejection be reconsidered and withdrawn.

## **II. Claim Rejections under 35 U.S.C. § 103(a)**

A. The Examiner has rejected claims 1, 3, 6-9, 19 and 31 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art (Fig. 22 of the present application) in view of Funahashi et al. (EP 0 800 330 A2).

Claim 1, as amended, recites the feature of a passive radiator unit housed in a backside portion of a baffle, wherein the backside portion of the baffle is provided with a reinforcement rib. Applicants respectfully submit that the cited prior art fails to disclose, suggest or otherwise render obvious such a feature.

Fig. 22 of the present specification depicts a passive radiator unit 1201, a speaker unit 1202, a baffle 1203, a sub-baffle plate 1206 and a backplate 1207. As shown in Fig. 22, the passive radiator unit 1201 is mounted to the baffle 1203 by a plurality of screws such that the passive radiator unit 1201 is exposed to an outside of the baffle 1203 via an opening.

Thus, while Fig. 22 depicts a passive radiator unit being mounted to a baffle, Applicants respectfully submit Fig. 22 does not depict a passive radiator unit being housed in a backside portion of a baffle, wherein the backside portion includes a reinforcement rib, as recited in amended claim 1. Further, Applicants respectfully submit that Funahashi et al. (EP 0 800 330 A2) fails to cure this deficiency of Fig. 22.

Accordingly, Applicants submit that claim 1 is patentable over the cited prior art, an indication of which is respectfully requested.

In addition, Applicants note that claim 1 recites the feature of a baffle on which the speaker unit and the passive radiator unit are directly mounted. In the Office Action, the

Examiner asserts that Fig. 22 of the present application depicts the speaker unit 1202 and the passive radiator unit 1201 being directly mounted to the baffle 1203. Applicants respectfully disagree.

In particular, Applicants respectfully submit that the speaker unit 1202 is not directly mounted to the baffle 1203. As clearly shown in Fig. 22, the speaker unit 1202 is directly mounted to the sub-baffle plate 1206 by a plurality of screws, not the baffle 1203. Applicants note that the passive radiator unit 1201 is directly mounted to the baffle 1203 by a plurality of screws, and that the sub-baffle plate 1206 is directly mounted to the baffle 1203 by a plurality of screws.

Thus, while it may be argued that the Fig. 22 depicts a speaker unit 1202 that is indirectly mounted to the baffle 1203 via the sub-baffle plate 1206, Applicants respectfully submit that the speaker unit 1202 is clearly not directly mounted to the baffle 1203. Further, Applicants respectfully submit that Funahashi et al. (EP 0 800 330 A2) fails to cure this deficiency of Fig. 22 of the present application.

In view of the foregoing, Applicants respectfully submit that the cited prior art fails to disclose, suggest or otherwise render obvious the feature of a baffle on which the speaker unit and the passive radiator unit are directly mounted, as recited in claim 1. Accordingly, Applicants submit that claim 1 is patentable over the cited prior art, an indication of which is respectfully requested.

Further, Applicants note that claim 1 also recites the feature of a first closed chamber that is formed from the speaker unit, the passive radiator unit, and the baffle. The Examiner asserts

that Fig. 22 of the present application depicts that a first closed chamber is formed from the speaker unit 1202, the passive radiator unit 1201 unit and the baffle 1203. Applicants respectfully disagree.

In particular, Applicants respectfully submit that Fig. 22 depicts that the speaker unit 1202, the passive radiator unit 1201, and the baffle 1203 forms an open chamber which can only be closed by mounting the sub-baffle plate 1206. Indeed, the specification explicitly indicates that a closed front chamber 1204 is formed by the speaker unit 1202, the baffle 1203 and the sub-baffle plate 1206 (see page 2, lines 9-11 of the original specification).

Thus, as the sub-baffle plate 1206 in Fig. 22 is plainly required in order to form the closed chamber, Applicants respectfully submit that Fig. 22 does not depict that a first closed chamber is formed from the speaker unit 1202, the passive radiator unit 1201 and the baffle 1203. Further, Applicants respectfully submit that Funahashi et al. (EP 0 800 330 A2) fails to cure this deficiency of Fig. 22 of the present application (see the arguments presented in the Amendment filed on April 16, 2004).

In view of the foregoing, Applicants respectfully submit that the cited prior art fails to disclose, suggest or otherwise render obvious the feature of a first closed chamber that is formed from a speaker unit, a passive radiator unit and a baffle, as recited in claim 1. According to the present invention, by eliminating the need to mount a sub-baffle to form a first closed chamber, unwanted vibrations produced by the sub-baffle can be eliminated.

Moreover, Applicants note that claim 1 also recites the feature of a second closed chamber that is formed from the speaker unit, the baffle and the backplate. The Examiner asserts

that Fig. 22 of the present application depicts that a second closed chamber is formed from the speaker unit 1202, the baffle 1203 and the backplate 1207. Again, Applicants respectfully disagree.

In particular, Applicants respectfully submit that Fig. 22 depicts that the speaker unit 1202, the baffle 1203 and the backplate 1207 forms an open chamber, not a closed chamber. Indeed, the specification explicitly indicates that a closed rear chamber 1205 is formed by the speaker unit 1202, the baffle 1203, the sub-baffle plate 1206 and the backplate 1207 (see page 2, lines 12-16 of the original specification).

Accordingly, Applicants respectfully submit that Fig. 22 does not depict that a second closed chamber is formed from the speaker unit 1202, the passive radiator unit 1206 and the baffle 1203. Further, Applicants respectfully submit that Funahashi et al. (EP 0 800 330 A2) fails to cure this deficiency of Fig. 22 of the present application. Thus, Applicants respectfully submit that the cited prior art fails to disclose, suggest or otherwise render obvious the feature of a second closed chamber that is formed from the speaker unit, the baffle and the backplate, as recited in claim 1.

Based on the foregoing, Applicants respectfully submit that the cited prior art fails to disclose, suggest, or otherwise render obvious all of the features recited in claim 1. Accordingly, Applicants submit that claim 1 is patentable over the cited prior art and respectfully request that the Examiner withdraw the rejection. Claims 3, 6-9, 13 and 19 depend from claim 1, and are therefore considered patentable at least by virtue of their dependency.

Regarding claim 31, Applicants note that this claim recites the features of a speaker unit, a passive radiator unit and a baffle forming a first closed chamber; and the speaker unit, the baffle and a back plate forming a second closed chamber; wherein the passive radiator unit is housed in a backside portion of the baffle; and wherein the backside portion of the baffle is provided with a reinforcement rib disposed inside of the first closed chamber.

For at least similar reasons as discussed above with respect to claim 1, Applicants submit that the combination of the admitted prior art and Funahashi fails to disclose, suggest or otherwise render obvious such features. Accordingly, Applicants respectfully submit that claim 31 is patentable over the cited prior art, an indication of which is kindly requested.

B. The Examiner has rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art in view of Funahashi et al. and further in view of Beppu (U.S. 5,621,804).

Claim 2 depends from claim 1. Applicants submit that Beppu fails to cure the deficiencies of the Admitted Prior Art and Funahashi as described above with respect to claim 1. Accordingly, Applicants submit that claim 2 is patentable at least by virtue of its dependency.

C. The Examiner has rejected claims 4, 5, 10, 14, 25 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art in view of Funahashi et al. and further in view of Perkins et al. (U.S. 6,259,798).

Claims 4, 5, 10, 14, 25 and 26 depend from claim 1. Applicants submit that Perkins fails to cure the deficiencies of the Admitted Prior Art and Funahashi as described above with respect to claim 1. Accordingly, Applicants submit that claims 4, 5, 10, 14, 25 and 26 are patentable at least by virtue of their dependency.

D. The Examiner has rejected claims 13 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art in view of Funahashi et al. and Tokura et al. (U.S. 6,686,036) and further in view of Perkins et al.

Claims 13 and 20 depend from claim 1. Applicants submit that Tokura and Perkins fail to cure the deficiencies of the Admitted Prior Art and Funahashi as described above with respect to claim 1. Accordingly, Applicants submit that claims 13 and 20 are patentable at least by virtue of their dependency.

#### **IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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